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 7 GEORGIA-PACIFIC CONSUMER PRODUCTS LP

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CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIABY YWT DEPUTY

8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

10 GEORGIA-PACIFIC CONSUMER) Civil Action No. 07 CV 2391 BTM AJI
 11 PRODUCTS LP, a Delaware limited)
 11 partnership,)
 12 Plaintiff,)
 13 v.)
 14 LEE'S GENERAL TOYS, INC., a California)
 14 corporation, JOHN LEE, an individual; and)
 15 DOES 1-100,)
 16 Defendants.)
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1 Pursuant to Local Civil Rule 40.1(e), Plaintiff Georgia-Pacific Consumer Products LP, a
 2 Delaware limited partnership, states that this case is related to the following related action, filed
 3 concurrently herewith:

4 1. *Georgia Pacific Consumer Products LP v. Yan Wholesale, et al.*, Case No. 07-
 5 CV-2390 JAH POR, filed December 20, 2007, in the United States District Court for the
 6 Southern District of California.

7 This case is related to the above-referenced case because this case: (1) involves the same
 8 Plaintiff, Georgia-Pacific Consumer Products LP; (2) involves claims pertaining to the same
 9 intellectual property of Georgia-Pacific; and (3) appears likely to entail substantial duplication of
 10 labor from the related case if this action is heard by a different judge. *See* L.R. Civ. 40.1(e) ("An
 11 action or proceeding is related to another action or proceeding where both of them: (1) Involve
 12 some of the same parties and are based on the same or similar claims; (2) Involve the same
 13 property, transaction, or event; or (3) Involve substantially the same facts and the same questions
 14 of law.").

15 In each of these actions, Georgia-Pacific alleges trademark infringement arising under
 16 Section 32 of the Lanham Act (15 U.S.C. § 1114), common law trademark infringement, false
 17 designation of origin arising under Section 43(a) of the Lanham Act (15 U.S.C. § 1125(a)), false
 18 advertising arising under Section 43(a) of the Lanham Act (15 U.S.C. § 1125(a)), federal dilution
 19 arising under Section 43(c) of the Lanham Act (15 U.S.C. § 1125(c)), statutory dilution arising
 20 under California Business & Professions Code § 14330, statutory unfair competition arising
 21 under California Business & Professions Code §§ 17200 *et seq.*, and unfair competition arising
 22 under the common law of the State of California, unlawful importation of trademark infringing
 23 goods arising under Section 42 of the Lanham Act (15 U.S.C. § 1124), unlawful importation of
 24 trademark infringing goods arising under the Section 1526(a) of the Tariff Act (19 U.S.C.
 25 § 1526), and cancellation of California Registration Number 109928 pursuant to California
 26 Business & Professions Code §§ 14281 or 14282.

27 Georgia-Pacific brings these claims to protect its several, and in some cases
 28 incontestable, federally registered trademarks bearing the words "Angel Soft." These trademarks

1 include Registration Numbers 781,414; 1,172,215; 2,512,417; 2,546,897; 2,841,759; 2,912,982;
2 2,972,819; and 2,989,711. In accordance with 15 U.S.C. § 1065, based upon widespread and
3 continuous use, Registration Numbers 781,414 and 1,172,215 have achieved incontestable status.

4 Because the allegations in this case and in the related case concern protection of the same
5 trademarks, each action will require analysis and determination of the same or substantially
6 similar questions of law and fact. Assignment of these cases to the same judge therefore is likely
7 to generate efficiencies for the Court and for the parties.

8 Dated: December 20, 2007

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